

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROBERT E. SANFORD,)	
)	
Plaintiff,)	4:09CV3263
)	
v.)	
)	
NEBRASKA DEPARTMENT OF)	ORDER
CORRECTIONAL SERVICES,)	
ROBERT P. HOUSTON, Director)	
of Correctional Services,)	
FRED BRITTEN, Warden at the)	
TECUMSEH STATE CORRECTIONAL)	
INSTITUTION, and UNKNOWN)	
SHERMAN, Unit Manager of SMU)	
at Tecumseh State Correctional)	
Institution, et al.,)	
)	
Defendants.)	
)	

This matter is before the Court on plaintiff's motion to extend time to pay initial partial filing fee (Filing No. [13](#).) Also pending are plaintiff's motions for summons and status of summons (Filing Nos. [6](#) and [9](#).)

On January 6, 2010, the Court granted plaintiff's motion for leave to proceed in forma pauperis (Filing No. [7](#)). Pursuant to [28 U.S.C. § 1915\(b\)](#), the Court directed plaintiff to pay an initial partial filing fee of \$0.07 before February 5, 2010. (*Id.* at CM/ECF p. 3.) On February 4, 2010, plaintiff filed a motion to extend time to pay the initial partial filing fee (Filing No. [11](#).) The Court granted the motion and gave plaintiff until March 5, 2010, to pay the initial partial filing fee (Filing No. 12). Four days later, plaintiff filed an

additional motion to extend time to pay the initial partial filing fee (Filing No. [13](#)).

Because plaintiff has until March 5, 2010, to pay the initial partial filing fee, his second motion to extend will be denied. If the initial partial filing fee is not received by the specified deadline, this case will be dismissed. Accordingly,

IT IS ORDERED:

1. Plaintiff's motion to extend time (Filing No. [13](#)) is denied.

2. Plaintiff's motion for summons (Filing No. [6](#)) is denied without prejudice to reassertion after payment of the initial partial filing fee.

3. Plaintiff's motion for status of summons (Filing No. [9](#)) is denied as moot.

DATED this 18th day of February, 2010.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court

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